

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JANICE LACY,

Plaintiff,

v.

TURNER,

Defendant.

No. 1:23-cv-01763-KES-EPG

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DISMISS THIS
CASE WITHOUT PREJUDICE AND TO
DENY PLAINTIFF'S MOTION FOR A
TEMPORARY RESTRAINING ORDER

Docs. 3, 9.

Plaintiff Janice Lacy proceeds pro se and in forma pauperis in this civil action. The matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 22, 2024, the assigned magistrate judge entered findings and recommendations, recommending that this case be dismissed, without prejudice, (1) under the *Younger* abstention and *Rooker-Feldman* doctrines; (2) for failure to comply with a court order and failure to prosecute; and (3) for failure to provide a current address. Doc. 9. The magistrate judge further recommended that plaintiff's motion for a temporary restraining order (Doc. 3) be denied. *Id.*

The findings and recommendations were served on plaintiff and contained notice that any objections were to be filed within thirty (30) days after service. *Id.* at 7–8. Plaintiff was advised that “failure to file objections within the specified time may result in the waiver of rights on appeal.” *Id.* at 8 (citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838–39 (9th Cir. 2014)). Plaintiff

1 did not file any objections, and the deadline to do so has expired.

2 In accordance with 28 U.S.C. § 636(b)(1), this court has conducted a de novo review of
3 this case. Having carefully reviewed the matter, the court concludes that the findings and
4 recommendations are supported by the record and proper analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations entered on April 22, 2024 (Doc. 9), are
7 ADOPTED IN FULL;
- 8 2. Plaintiff's case is DISMISSED without prejudice (1) under the *Younger* abstention and
9 *Rooker-Feldman* doctrines; (2) for failure to comply with a court order and failure to
10 prosecute; and (3) for failure to provide a current address;
- 11 3. Plaintiff's motion for a temporary restraining order (Doc. 3) is DENIED; and
12 4. The Clerk of Court is directed to close this case.

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15 IT IS SO ORDERED.

16 Dated: September 30, 2024


UNITED STATES DISTRICT JUDGE